

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CASE NO. 4:15-CR-00651-001.

United States Courts  
Southern District of Texas  
FILED

SEP 13 2019

David J. Bradley, Clerk of Court

MARK DUESTERBERG

)

MOTION

Defendant

)

V.

)

UNITED STATES OF AMERICA

)

Resondant

)

Filed Pursuant to  
18 USC §3583(e)(2)  
and Rule 32.1(c) of  
the Federal Rules  
of Criminal Procedure.

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Comes now defendant a Pro Se litigant who moves the Court for a reduction of Supervise Release pursuant to 18 USC §3583(e)(2) and Rule 32.1(c) of the Federal Rules of Criminal Procedure.

A defendant may move for modification or early termination of his term of supervise release pursuant to 18 USC §3583(e) and Rule 32.1(c) of the Federal Rules of criminal procedure. See - United States v. Hill, 597 Fed. Appx. 264, 2015 US App, Lexis 4014, 2015 WL 1119604, at 1 (5th Cir. 2015) (Per Curiam). "A district court has authority to modify conditions of supervise release under 18 USC §3583 (e)(2)' at any time prior to the expiration or termination of the term of supervise release'".

Defendant was sentenced to 10 years of imprisonment and 10 years of supervise release.

Supervise release consist of a minimum sentence of 3 years which in this case should have applied due to the fact that the charging instrument was not a violent felony and there was no crime of violence involved in this case.

Defendant is requesting that the court reduce his term of supervise release to 5 years for the following reasons:

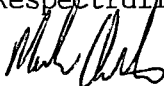
Defendant's supervise release of 10 years is in excess, eventhough it is the discretion of the Judge to increase a term of supervise release it is also the discretion of the Judge to decrease a term of supervise release when there is no circumstances to show or factors to prove as evidence that there has been a crime of violence committed. Therefore, defendant request that his term of supervise release be reduced to no more than 5 years.

The request for a reduced term of supervise release of 5 years is appropriate, and warranted in this case.

CONCLUSION

For the foregoing reasons defendant moves the court to grant his motion filed in this case and grant any other relief that the court deems appropriate in the Interest of Justice.

Dated: 09/01/2019

Respectfully Submitted,  
S/ 


CERTIFICATE OF SERVICE

I Mark Duesterberg certify that I caused the following documents :

Motion filed pursuant to 18 USC §3583(e)(2) and Rule 32.1(c) of the Federal Rules of Criminal Procedure.

To be filed electronically by the clerk of the court through the CM/ECF system to the United States Attorney's Office in the Southern District of Texas.

Dated: 09/01/2019

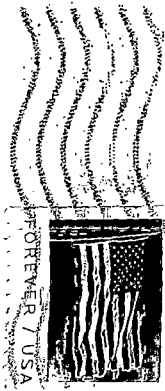
Respectfully Submitted,  
s/ 

02920-479

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